

NOV 17 2005

Practitioner's Docket No. D-1077+1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jay Paul Drummond, et al.

Filed: November 17, 1998

Application No.: 09/193,787

Art Unit 3621

Confirmation No. 2446

Examiner Jalatee Worjloh

Title: Automated Banking Machine Apparatus and System

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER TO OBVIATE
A DOUBLE PATENTING REJECTION (37 C.F.R. 1.321(c))**

Identification of Person(s) Making This Disclaimer

I, Ralph E. Jocke, represent that I am an attorney of record.

EXTENT OF DISCLAIMANT'S INTEREST

The extent of the interest in this invention that the disclaimant owns is in the whole of this invention.

DISCLAIMER

Petitioner(s) hereby disclaims, except as provided below, the terminal part of any patent granted on the instant application, which would extend beyond the expiration date of any patent granted on application no.

09/578,291 filed on May 25, 2000;
09/578,312 filed on May 25, 2000;
10/356,849 filed on February 3, 2003;
10/357,145 filed on February 3, 2003;
10/430,123 filed on May 5, 2003;
10/980,345 filed on November 2, 2004;
10/990,334 filed on November 16, 2004; or
11/135,948 filed on May 23, 2005

as shortened by any terminal disclaimer. Petitioner(s) hereby agree(s) that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on an above-listed application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of any patent granted on an application forming the basis of the double patenting rejection, namely, any patent granted on application no. 09/578,291; 09/578,312; 10/356,849; 10/357,145; 10/430,123; 10/980,345; 10/990,334; or 11/135,948, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

DISCLAIMER FEE
(37 C.F.R. 1.20(d))

Other than a small entity - fee \$130.00.

FEE PAYMENT

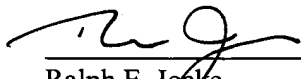
Authorization is hereby made to charge the amount of \$130.00 to Deposit Account No. 09-0428.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

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